



**City of Bellevue
Development Services Department
Land Use Staff Report**

Proposal Name: Yu 130 Short Plat

Proposal Address: 4757 130th Ave SE

Proposal Description: Preliminary Short Plat approval to subdivide an existing parcel into two single family lots within the R-5 zoning district.

File Number: 15-116984-LN

Applicant: Daoguang Yu

Decisions Included: Preliminary Short Plat (Process II)

Planner: Drew Folsom, Associate Planner

State Environmental Policy Act Threshold Determination: Exempt

Department Decision: Approval with Conditions



Drew Folsom, Associate Planner
Development Services Department

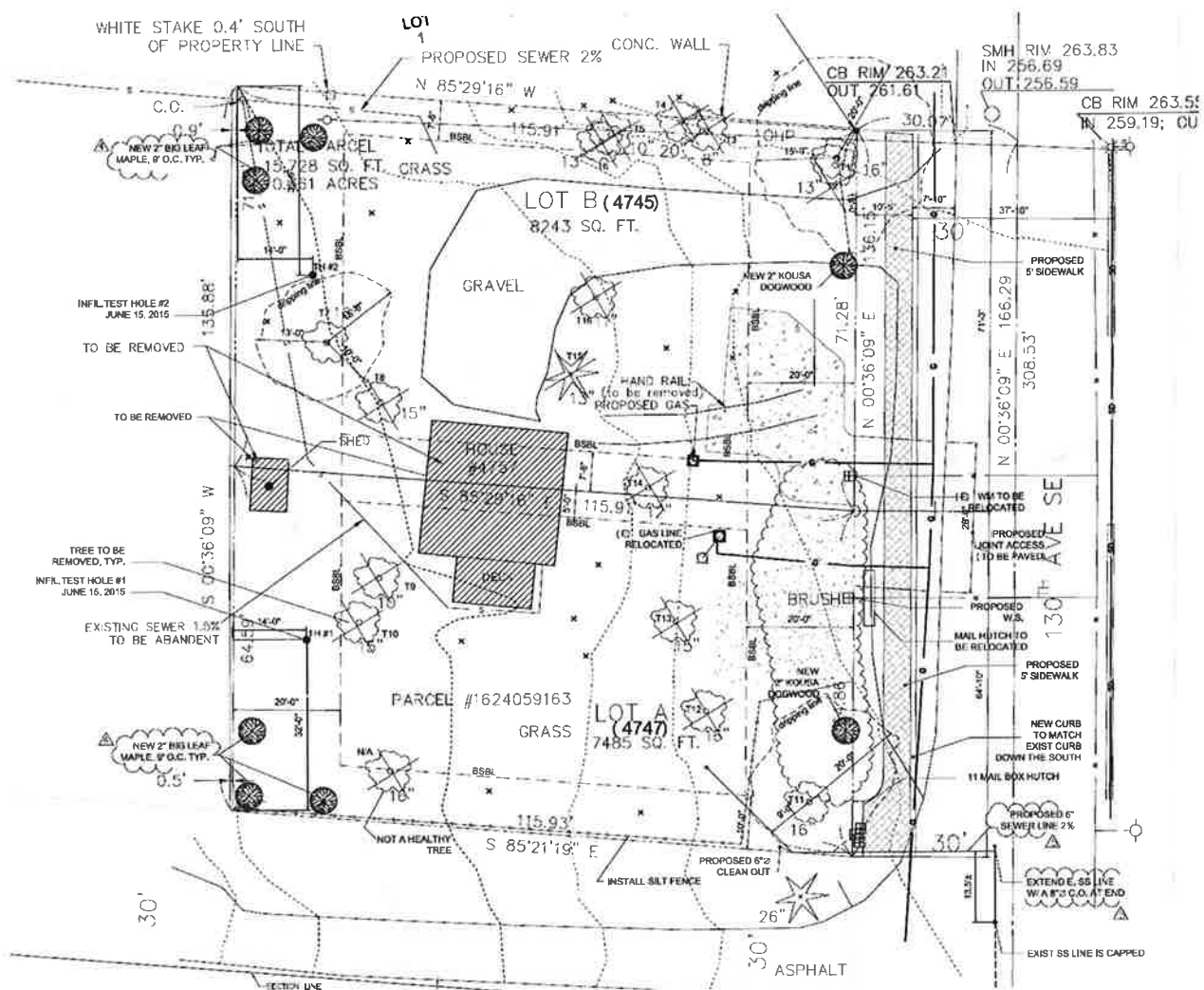
Application Date: September 1, 2015
Notice of Application: October 29, 2015
Minimum Comment Period: November 12, 2015 (14 days)
Decision Publication Date: January 12, 2017
Appeal Deadline: January 26, 2017

For information on how to appeal a proposal, visit the Permit Center at City Hall or call (425) 452-6800 [TTY (425) 452-4636]. Appeal of the Decision must be made with the City Clerk by 5 PM on the date noted for appeal of the decision.

I. DESCRIPTION OF PROPOSAL

The applicant is proposing to subdivide an existing parcel (15,728 square feet) into two single family lots (8,243 and 7,485 square feet). The site is zoned R-5 (a single family zoning district) and is located within the Factoria Subarea. The minimum lot size in R-5 zoning districts is 7,200 square feet. The site contains an existing single family home and detached shed both of which will be removed as part of the proposal. Access to the two lots will be from a joint-use access easement off of 130th Ave SE.

Figure 1 – Preliminary Short Plat Proposal



II. SITE DESCRIPTION AND CONTEXT

The subject site is located within an existing single-family neighborhood, and is bordered by single-family dwellings to the north, south, east, and west. The property is zoned R-5 and has a Comprehensive Plan designation of Single-Family High Density. The site contains several significant trees comprised mainly of Alder and Big Leaf Maple species that are in a declining state. A single family home and detached shed are proposed to be removed as part of the proposal. Access to the site is gained via 130th Ave SE. North and south of the lot, the 130th Ave SE right of way is developed with sidewalks. The topography of the site slopes slightly downward from east to west. The site contains no Critical Areas as defined under LUC 20.25H.

Figure 2 – Aerial Photograph

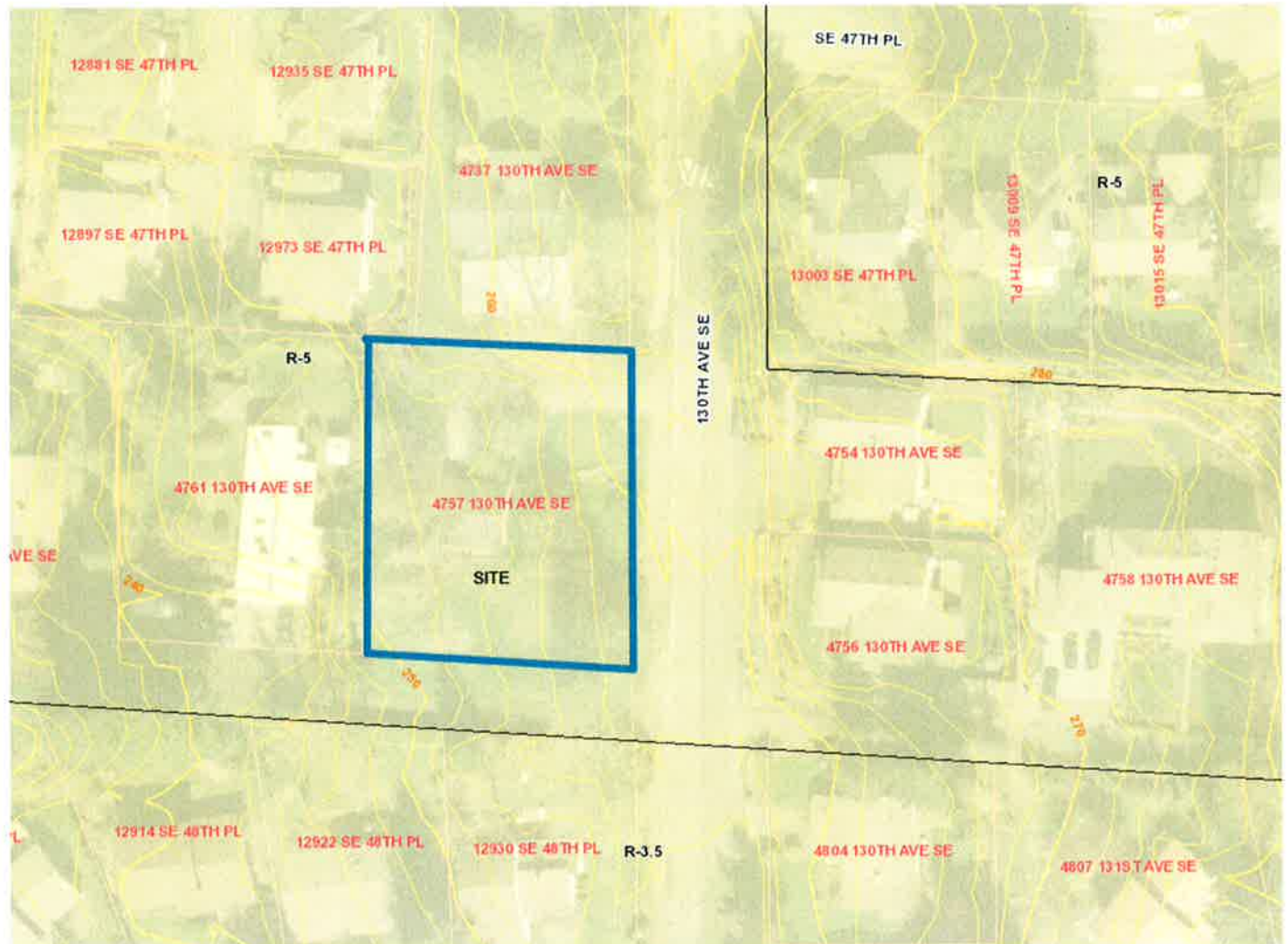


III. CONSISTENCY WITH ZONING AND LAND USE CODE REQUIREMENTS

A. Zoning

The site and surrounding lots are zoned R-5, a single family zoning district. The two lots proposed with this short plat application are permitted within the R-5 land use district. Refer to Table 1 of Section III.B for discussion of dimensional requirements.

Figure 3 – Zoning Map



B. Consistency with Standard Land Use Code Requirements

Table 1 – Dimensional Requirements

BASIC INFORMATION		
Zoning District	R-5 Factoria Subarea Comprehensive Plan Designation: Single-Family High	
Gross Site Area	15,728 square feet	
ITEM	REQ'D/ALLOWED	PROPOSED
Minimum Lot Area	7.200 Square Feet	Lot 1: 7485 Lot 2: 8243
Minimum Lot Width	60 Feet	Lot 1: 71.2 Lot 2: 64.6 Feet (approx.)
Minimum Lot Depth	80 Feet	Lot 1: 115.9 Feet (approx.) Lot 2: 115.9 Feet (approx.)
Building Setbacks		
Front Yard	20 Feet	20 Feet
Rear Yard	20 Feet	20 Feet
Min. Side Yard	5 Feet	5 Feet
2 Side Yards	15 Feet	15 Feet
Access Easement Setbacks	10 Feet from easement	10 Feet

IV. STATE ENVIRONMENTAL POLICY ACT (SEPA)

There are no Critical Areas located on the subject property. Short Plats not containing Critical Areas and are less than an acres in size are exempt from SEPA review pursuant to WAC 197-11-800(6), BCC 22.02.032.

V. SUMMARY OF TECHNICAL REVIEWS

A. Utilities Review

Storm Drainage

The project will trigger minimum requirements 1-5 from the Department of Ecology Stormwater Management Manual for Western Washington. The applicant has proposed to use of Best Management Practices (BMPs) to mitigate for flow control and on-site stormwater management. In addition to the six new additional trees per lot, partial infiltration has been determined to be feasible on both lots.

Water

The water supply for each lot will connect to a City of Bellevue owned water main located in 130th Ave. SE. A separate independent water service is required for each parcel. There is enough capacity in the water main to supply the short plat with water.

Sewer

Sewer service for the Yu Short Plat will connect the proposed lot on the north to an existing joint side sewer near the north property line. The other proposed lot on the south of the project will extend the 8-inch sewer main in 130th Ave. SE to the south property line and

connect with a 6-inch lateral side sewer. Two side sewer permits will be required for the separate connections. There is enough capacity in the sewer system to serve the two proposed lots.

Refer to Conditions of Approval regarding Utilities in Section X of this report.

B. Fire Department Review

The preliminary short plat application has been reviewed and no further fire revisions are needed at this time.

C. Transportation Review

The Transportation Department has reviewed the plans submitted for the preliminary short plat and recommends approval. The final engineering plans must show all transportation-related improvements and must be consistent with the Transportation Development Code (BCC 14.60) and the Transportation Department Design Manual prior to approval of the plat infrastructure permit. Prior to final short plat approval, the developer must provide all transportation improvements at the developer's expense (BCC 14.60.110) or provide an acceptable financial assurance device equivalent to 150% of the cost of unfinished improvements.

Under BCC 22.16, payment of the transportation impact fee for each new home prior to building permit issuance will adequately mitigate off-site transportation impacts. The fee amount is subject to periodic revision by the City Council. Builders will pay the fee in effect at the time of building permit issuance

Street Frontage and Site Access

The Yu130 Short Plat is located along the west side of 130th Avenue SE. There is an existing 5-foot concrete sidewalk with curb and gutter to the south of the site and a 5-foot wide meandering asphalt pedestrian path that terminates at the site's north property line. The applicant is required to widen the roadway to match the existing roadway curb line on the south side of the property in addition to installation of 5-foot wide sidewalk with curb, gutter, and storm drainage system for the full length of the proposed street frontage, approximately 136 feet. The design of the improvements must conform to the requirements of the Americans with Disabilities Act, the Transportation Development Code (BCC 14.60), and the provisions of the Transportation Department Design Manual.

Access to Lots 1 and 2 will be from a joint-use driveway off of 130th Avenue SE as shown on the approved plans. No other access connection to city right-of-way is authorized. The existing access point which serves the existing house must be removed. Street frontage improvements matching adjacent improvements must be provided at the location of the removed driveway.

The joint-use driveway width will be a maximum of 28-foot wide within a 30-foot wide access easement which then extends up to 20 feet west of the site's property line. The driveway must be built per the City's Transportation Department Design Manual Standard Drawing DEV-7A. A streetlight will not be required since there is an existing streetlight on 130th Avenue SE across from the site.

Site addresses have been determined by the City's Parcel and Address Coordinator. The

five lots have been addressed as follows:

- Lot 1 has been addressed as 4757 130th Avenue SE.
- Lot 2 has been addressed as 4755 130th Avenue SE.

It is the responsibility of the applicant to coordinate mailbox location and design with the local Postmaster. If a cluster mailbox location is to be used, it should be consistent with city standards and code for roadside appurtenances and mailboxes. The mailbox location must be acceptable to the Transportation Department regarding safety requirements.

Use of the Right of Way

Applicants often request use of the right of way and of pedestrian easements for materials storage, construction trailers, hauling routes, fencing, barricades, loading and unloading, and other temporary uses as well as for construction of utilities and street improvements. A Right of Way Use Permit for such activities must be acquired prior to issuance of any construction permit including demolition permit.

Pavement Restoration

The City of Bellevue has established the Trench Restoration Program to provide developers with guidance as to the extent of resurfacing required when a street has been damaged by trenching or other activities. Under the Trench Restoration Program, every public street in the City of Bellevue has been examined and placed in one of three categories based on the street's condition and the period of time since it was last resurfaced. These three categories are "No Street Cuts Permitted", "Overlay Required", and "Standard Trench Restoration". Each category has different trench restoration requirements associated with it.

The Yu130 Short Plat is adjacent to 130th Avenue SE and the roadway is classified as "Overlay Required". The minimum pavement restoration due to pavement widening will include a full grind and overlay to the center of the roadway. The limits of such grind and overlay will be set per the discretion of the Transportation Construction Inspector. The details of the grind and overlay will be specified in the Right of Way Use Permit.

Sight Distance

The access design shall meet the sight distance requirements of BCC 14.60.240. Vegetation shall be trimmed as needed within the sight triangle. The initial review of the proposed driveway location indicates that the required 150 feet sight distance is achievable.

Transportation Impacts and Mitigation

City staff has analyzed the potential short term operational impacts of this proposal in order to recommend mitigation if necessary. These impacts included traffic operations conditions during the a.m. and p.m. peak hours. Due to the minimal amount of new p.m. peak trips to be generated by the Yu130 Short Plat, traffic impacts from this development will be minor in nature. Therefore, no additional mitigation is required other than payment of the transportation impact fee at the issuance of building permits.

Refer to Conditions of Approval regarding Transportation in Section X of this report.

D. Clearing and Grading Review

The Clearing and Grading Division has reviewed the submitted plans and has approved the preliminary short plat without conditions.

VI. PUBLIC COMMENT

The City notified the public of this proposal on October 29, 2015, with mailed notice and publication in the Weekly Permit Bulletin. A public information sign was also installed on the site the same day. The City received one public comment with concerns related to the lack of tree retention.

City Response:

The original submittal dated September 1, 2015 proposed no retention of existing trees. The applicant was made aware of the City's code as it relates to tree retention and revised the plan to retain 41 diameter inches of existing trees. The applicant submitted an alternative landscaping plan for the remaining 8" of required tree retention as allowed per LUC 20.20.900.G.2.

The majority of the trees on site are of the alder variety with several reported to be in poor health per the tree assessment prepared by Tom Quigley, an ISA certified arborist dated May 2, 2106. The alternative landscaping plan proposes planting six 2" Big Leaf Maple trees, and two 2" Kousa dogwood trees for a total of 10 inches. This alternative planting plan achieves the stated purpose of LUC 20.20.900. **Refer to Conditions of Approval regarding tree protection and tree retention in Section X of this report.**

VII. CHANGES TO PROPOSAL BECAUSE OF STAFF REVIEW

The original design was revised to retain more significant trees and individual driveways were combined into a joint access easement off 130th Ave SE

VIII. DECISION CRITERIA:

Land Use Code 20.45B.130B Decision Criteria for a Preliminary Short Plat:

The Director may approve or approve with modifications an application for a Preliminary Short Plat if:

- 1. The Preliminary Short Plat makes appropriate provisions for, but not limited to, the public health, safety and general welfare, for open spaces, drainage ways, streets, sidewalks, alleys, other public ways, water supplies, sanitary waste.**

Finding: City codes ensure public health, safety and general welfare through development code requirements. Existing public water and sewer facilities have been deemed adequate to serve the proposed development. In addition, construction noise is expected during the construction period; however, the Bellevue Noise Control Ordinance (BCC 9.18) regulates hours of construction-related noise emanating from project sites. **Refer to Condition of Approval regarding Noise/Construction Hours in Section X of this report.**

2. The public interest is served by the short subdivision.

Finding: The public interest is served by providing additional housing opportunities in accordance with the Comprehensive Plan, while ensuring compliance with City codes and standards.

3. The preliminary short plat appropriately considers the physical characteristics of the proposed short subdivision site.

Finding: The preliminary short plat considers the physical characteristics of the site by adequately responding to the existing topography, which slopes slightly downward from east to west. The future construction of the joint-use driveway and single-family dwellings would not likely require any major cut or fill.

4. The proposal complies with all applicable provisions of the Land Use Code (BCC Title 20), the Utility Code (BCC Title 24), and the City of Bellevue Development Standards.

Finding: As conditioned, the proposal complies with the Land Use Code requirements for the R-5 land use district, the Utility Code and the City of Bellevue Development Standards.

Land Use Code Requirements:

A. Dimensional Requirements: Refer to Section III.B of this report for dimensional requirements.

Response: All lots shown can be developed in accordance with the City of Bellevue Land Use Code requirements, including the R-5 land use district dimensional requirements.

B. Significant Tree Preservation: *Tree preservation requirements pursuant to LUC Section 20.20.900.D.3 require the retention of 30% of the diameter inches of significant trees on the site. Per to LUC Section 20.20.900.G an applicant may request a modification of the tree retention requirements set for in subsection D pursuant to LUC 20.20.900.G.2.*

Response: The applicant proposes to preserve a total of 41 diameter inches on-site, remove 13 trees (122 diameter inches), and plant 6 Big Leaf Maple and 2 Kousa Dogwood trees. This satisfies the purpose of LUC 20.20.900.A. **Refer to Conditions of Approval regarding tree protection and tree retention in Section X of this report.**

5. The proposal is in accord with the Comprehensive Plan (BCC Title 21).

Finding: The site is located within the Factoria Subarea. The Comprehensive Plan specifies Single-Family High Density development for this property, consistent with the R-5 land use designation. In addition, the proposal complies with applicable Comprehensive Plan policies City-Wide and for this Subarea, including the following:

The single family homes are, by use type, compatible with surrounding neighborhoods (S-FA-4). The proposal helps meet Bellevue's share of the regionally adopted demand forecasts for residential uses for the next 20 years (LU-5) and provides new residential development to the maximum density allowed on the net buildable acreage (LU-6).

6. **Each lot in the proposal can reasonably be developed in conformance with current Land Use Code requirements without requiring a variance.**

Finding: As conditioned, each lot can reasonably be developed to current R-5 dimensional standards without requiring a variance. Existing structures over 30 inches within the proposed setbacks will be required to be removed as part of the proposal. **Refer to Conditions of Approval regarding the variance and demolition restrictions in Section X of this report.**

7. **All necessary utilities, streets or access, drainage and improvements are planned to accommodate the potential use of the entire property.**

Finding: The Utilities and Transportation Departments have reviewed the preliminary short plat and determined that all necessary utilities, drainage, driveway access locations, necessary sidewalk easements and other required improvements are either existing, planned or conditioned as part of this approval, to accommodate the use of these lots. **Refer to Conditions of Approval regarding infrastructure improvements and access design and maintenance in Section X of this report.**

IX. CONCLUSION AND DECISION:

After conducting the various administrative reviews associated with this proposal, including applicable Land Use consistency, City Code, and standard compliance reviews, the Director of the Development Services Department (DSD) does hereby **APPROVE** the 2-lot Yu 130 Preliminary Short Plat **WITH CONDITIONS**.

This approval automatically expires and is void if the applicant fails to file for approval of the final short plat within one year of the effective date of approval unless the applicant files for an extension at least 30 days prior to the expiration and the extension is granted pursuant to LUC 20.45B.150 and 160.

X. CONDITIONS OF APPROVAL:

The following conditions are imposed under authority referenced:

COMPLIANCE WITH BELLEVUE CITY CODES AND ORDINANCES

The applicant shall comply with all applicable Bellevue City Codes, Standards, and Ordinances including but not limited to:

Applicable Codes, Standards & Ordinances	Contact Person
Clearing & Grading Code – BCC 23.76	Janney Gwo, (425) 452-6190
Construction Codes – BCC Title 23	Building Divisions, (425) 452-6864
Fire Code – BCC 23.11	Sean Nichols, (425) 452-2926
Land Use Code – BCC Title 20	Drew Folsom, (425) 452-4441

Noise Control – BCC 9.18	Drew Folsom,	(425) 452-4441
Transportation Develop. Code – BCC 14.60	Abdy Farid,	(425) 452-7698
Traffic Standards Code 14.10	Abdy Farid,	(425) 452-7698
Right-of-Way Use Code 14.30	Tim Stever,	(425) 452-4294
Utility Code – BCC Title 24	Art Chi,	(425) 452-4119

A. GENERAL CONDITIONS:

1. Utilities

Utility review has been completed on the preliminary information submitted at the time of this application. The review has no implied approvals for water, sewer and storm drainage components of the project. The applicant will need to obtain separate water, sewer and storm permits for each lot over the counter in the permit center. A developer extension agreement may be required to obtain these permits.

Authority: Bellevue City Code Title 24.02, 24.04, 24.06
Reviewer: Art Chi, Utilities Department

2. Noise - Construction Hours

The proposal will be subject to normal construction hours of 7 a.m. to 6 p.m., Monday through Friday and 9:00 a.m. to 6:00 p.m. on Saturdays, except for Federal holidays and as further defined by the Bellevue City Code. Proximity to existing residential uses will be given special consideration. Upon written request to DSD, work hours may be extended to 10:00 p.m. if the criteria for extension of work hours as stated in BCC 9.18 can be met and the appropriate mitigation employed.

Authority: Bellevue City Code 9.18
Reviewer: Drew Folsom, Development Services Department

B. CONDITIONS PRIOR TO ISSUANCE OF ANY PLAT ENGINEERING/CLEAR AND GRADE PERMIT:

1. Right of Way Use Permit

The applicant is required to apply for a Right of Way Use Permit before the issuance of any clearing and grading, building, foundation, or demolition permit. In some cases, more than one Right of Way Use Permit may be required, such as one for hauling and one for construction work within the right of way. A Right of Way Use Permit regulates activity within the city right of way, including but not limited to the following:

- a. Designated truck hauling routes.
- b. Truck loading and unloading activities.
- c. Hours of construction and hauling.
- d. Continuity of pedestrian facilities.
- e. Temporary traffic control and pedestrian detour routing for construction activities.
- f. Street sweeping and maintenance during excavation and construction.

- g. Location of construction fences.
- h. Parking for construction workers.
- i. Construction vehicles, equipment, and materials in the right of way.
- j. All other construction activities as they affect the public street system.

In addition, the applicant shall submit for review and approval a plan for providing pedestrian access during construction of this project. Access shall be provided at all times during the construction process, except when specific construction activities such as shoring, foundation work, and construction of frontage improvements prevents access. General materials storage and contractor convenience are not reasons for preventing access.

Authority: Bellevue City Code 14.30
Reviewer: Tim Stever, (425) 452-4294

2. Off-Street Parking

The applicant must secure sufficient off-street parking for construction workers, equipment, and materials storage before the issuance of a clearing and grading, building, foundation, or demolition permit.

Authority: Bellevue City Code 14.30
Reviewer: Tim Stever, (425) 452-4294

3. Engineering Plans

A civil engineering site plan produced by a qualified engineer must be approved by the City prior to clear and grading permit approval. The design of all street frontage improvements must be in conformance with the requirements of the Americans with Disabilities Act, the Transportation Development Code, and the provisions of the Transportation Department Design Manual. The engineering plans must correctly show all transportation-related engineering details, including but not limited to, the design of the shared-use driveway, the connection to 130th Avenue SE, the 5-foot wide sidewalk, pavement widening and pavement restoration, mailbox location, and sight distance. Appropriate standard drawings from the Transportation Department Design Manual must be included in the engineering plans.

Specific requirements are detailed below:

- a) Site Specific Items:
 - i. The construction of the joint-use driveway with a maximum width of 28 feet contained within a 30 foot access easement. The joint-use driveway connects to 130th Avenue SE and no other access connection to the city right-of-way is authorized.
 - ii. The installation of a five foot wide sidewalk with curb, gutter, and storm drainage system and pavement widening for the full length of the project site street frontage, matching the street cross section along 130th Avenue SE just north of SE 48th Place. The pavement and subgrade depths shall be shown in Standard Drawing DEV-9.
 - iii. Where the new concrete sidewalk ends at the south end of the subject

property, an asphalt ramp shall be installed with a maximum grade of 5%.

- iv. A driveway apron for the connection of the joint-use driveway to 130th Avenue SE is required and shall be per Standard Drawing DEV-7A.
- v. Sight distance setback lines shall be shown on the civil engineering plans at the joint-use driveway as exhibited in Standard Drawing TE-1 and TE-3.
- vi. The mailbox installation location will be shown on the civil engineering plans as determined with the Bellevue Post Master.
- vii. The minimum pavement grind and overlay requirement for 130th Avenue SE, will be a minimum of half roadway (show on civil engineering plans) and as specified on the Right of Way Use Permit and by the Transportation Construction Inspector.
- viii. Restore thermoplastic pavement channelization as needed to match the existing fog line to the north of the subject property.

b) Miscellaneous:

- i. Landings on sloping approaches are not to exceed a 10% slope for a distance of 20 feet approaching the back edge of sidewalks. Driveway grades must be designed to prevent vehicles from bottoming out due to abrupt changes in grade.
- ii. The maximum cross slope of the joint-use driveway shall not exceed 8%.
- iii. Vehicle and pedestrian sight distance must be provided per BCC 14.60.240 and 14.60.241.

Authority: Bellevue City Code 14.60; Transportation Department Design Manual; and Transportation Department Design Manual Standard Drawings.

Reviewer: Abdy Farid, Transportation Department, 425-452-7698

4. Pavement Restoration

The city's pavement manager has determined that this segment of 130th Avenue SE will require grind and overlay pavement restoration for any utility connections or other digging in the street surface. Pavement restoration must meet the requirements of Section 23 of the Design Manual and standard drawings ROW-1 through ROW-5. Exact copies of the appropriate pavement restoration drawing(s) must be included in the final engineering plans.

Authority: Bellevue City Code 14.60.250 and Design Manual Design Standard #23

Reviewer: Tim Stever, (425) 452-4294

5. Tree Protection

To mitigate adverse impacts to trees to be retained during construction:

- A. Clearing limits shall be established for retained trees within the developed portion of the site, outside of drip lines. Six-foot chain link fencing with driven posts, or an approved alternative, shall be installed at the clearing limits prior to initiation of any clearing and grading.
- B. No excavation, clearing, or soil placement should be performed within drip lines of retained trees except as specifically approved on plans. All such work shall be done by hand to avoid damage to roots and shall be done under the supervision of an arborist approved by the city.

Authority: Bellevue City Code 23.76.060
Reviewer: Drew Folsom, Development Services Department

6. Alternative Landscaping Plan and Inspection:

An alternative landscaping plan is required to be submitted for review and approval by the City of Bellevue as a component of the Short Plat Engineering Permit. A minimum of six Big Leaf Maples and two Kousa Dogwoods; with a minimum width of 2 inches, will need to be included in this plan. Following installation of planting the applicant shall contact Land Use staff to inspect the planting.

Authority: Land Use Code 20.20.900.G
Reviewer: Drew Folsom, Development Services Department

C. PRIOR TO FINAL SHORT PLAT APPROVAL:

1. Infrastructure Improvements

All street frontage and infrastructure improvements shown in the final engineering plans or required by city codes and standards must be either completed prior to approval of the final short plat or provided for with a financial assurance device. Completion of the top lift and all other transportation infrastructure items prior to completion of the homes associated with the development is allowed.

Transportation Development Code Section 14.60.260 provides for a developer to obtain final short plat approval prior to finishing improvements with provision of an acceptable financial assurance device equivalent to 150% of the cost of unfinished infrastructure improvements. Provision of such an assurance device requires completion of the improvements by the developer within two years of final short plat approval. Installation of improvements that would negatively affect safety if left unfinished may not be delayed through use of a financial assurance device. Partial reductions of the financial assurance device will not be approved except in special circumstances, determined in advance, such as phased projects.

Improvements must be approved by the Transportation Department Construction Inspector before they are deemed complete. At completion of all transportation infrastructure items, the developer must provide a one year maintenance assurance device equivalent to 20% of the value of the transportation infrastructure improvements, dating from the acceptance of the improvements.

Authority: Bellevue City Code 14.60.100, 110, 130, 150, 170, 190, 210, 240, 241, 260; Transportation Department Design Manual Sections 3, 4, 5, 7, 11, 14, 19
Reviewer: Abdy Farid, Transportation Department, 425-452-7698

2. Access Design and Maintenance

The final subdivision map must include a note that specifies that the owners of lots served by the joint-use driveway are jointly responsible for maintenance and repair of the joint use driveway. In addition, the final subdivision map must include a note that specifies that the joint-use driveway will remain open at all times for emergency and public service vehicles and shall not be gated or obstructed.

Authority: BCC 14.60.130
Reviewer: Abdy Farid, Transportation Department, 425-452-7698

3. Tree Preservation Plan

A Tree Preservation Plan that portrays the drip-line, the diameter size, and common name of each significant tree to be retained; and an additional 8 trees to be planted including 6 Big Leaf Maples and 2 Kousa Dogwoods, must be recorded with the final short plat mylar. The Tree Preservation Plan must contain the following note:

“Tree Preservation Plan”:

Designation of trees on the Tree Preservation Plan establishes a covenant by the owner to leave undisturbed all trees as shown on the Tree Preservation Plan. This covenant shall run with the land and shall be binding upon all future owners. No tree topping, tree cutting or tree removal shall occur unless required or approved by the City. Except for ordinary landscape maintenance, no construction, clearing or land alteration activities shall occur within the drip-line of trees shown on the Tree Preservation Plan, unless required or approved by the City. Activities in violation of this covenant are subject to penalty, including without limitation, fines and mitigation requirements. The City of Bellevue shall have the right, but not the obligation, to enforce the requirements, terms and conditions of this covenant by any method available under law. It is the obligation of the owner to comply with the terms of the Tree Preservation Plan and this covenant.”

During future construction, the dripline of the trees to be saved shall be fenced to prevent clearing & grading activities within the dripline area.

Authority: Land Use Code 20.20.520.E, LUC 20.20.900
Reviewer: Drew Folsom, Development Services Department

4. Demolition of existing structures within proposed setbacks

All existing structures within required minimum structure setbacks must be removed prior to approval of the final short plat. The applicant shall apply for a building permit to remove the structures.

Authority: Land Use Code 20.20.010, 20.45B.130.A.6
Reviewer: Drew Folsom, Development Services Department

5. Variance Restriction

Approval by the City of this short plat is a determination that each lot in the short plat can be reasonably developed in conformance with the Land Use Code requirements in effect at the time of preliminary short plat approval without requiring a variance. The following language shall be placed on the final short plat document:

“Variance restriction: Approval by the City of this short plat is a determination that each lot in the short plat can be reasonably developed in conformance with the Land Use Code requirements in effect at the time of preliminary short plat approval without requiring a variance.”

Authority: Land Use Code 20.45B.130.A.6
Reviewer: Drew Folsom, Development Services Department

ATTACHMENTS

Project Drawings